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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/646,887	08/25/2003	Shinichi Nishimura	03500.017495.	1248
5514	7590	02/17/2004	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			MAYO III, WILLIAM H	
			ART UNIT	PAPER NUMBER

2831

DATE MAILED: 02/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

10/646,887

Applicant(s)

NISHIMURA, SHINICHI

Examiner

William H. Mayo III

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 August 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5. 6) ☐ Other: .

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in present Application No. 10/646,887, filed on August 25, 2003.

Information Disclosure Statement

2. The information disclosure statement filed November 4, 2003 has been submitted for consideration by the Office. It has been placed in the application file and the information referred to therein has been considered.

Drawings

3. The drawings are objected to because Figures 1-2, 6-7, 9-10 lacks the proper cross-hatching which indicates the type of materials, which may be in an invention. Specifically, the cross hatching to indicate the conductive and insulative materials is improper. The applicant should refer to MPEP Section 608.02 for the proper cross-hatching of materials. Correction is required.
4. Figures 5 and 9-10 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to

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avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

5. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

6. The abstract of the disclosure is objected to because in lines 12-16, the abstract refers purported merits or speculative applications of the invention, which is improper content for the abstract. The applicant should delete the lines. Correction is required.
- See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1 & 4 are rejected under 35 U.S.C. 102(e) as being anticipated by Inui (Pat Num 6,674,010). Inui discloses a shielded cable (Figs 1-2) that can transmit data between electronic devices without generating noise and that can be easily handled (Col 2, lines 10-13). With respect to claim 1, Inui discloses that the shielded cable (201) comprising: first signal wires (301) for transmitting digital signals of a relatively high frequency (Col 8, lines 24-32); a second signal wires (304) for transmitting digital signals of a relatively low frequency (Col 8, lines 24-32); and a conductor (305) with which said first and second signal wires (301 and 304, respectively) bundled in a state of being electrically insulated from each other are collectively covered (Col 9, lines 55-62), wherein said first signal wires (301) are placed adjacent to said conductor (305) and adjacent one to another (Fig 2). With respect to claim 4, Inui discloses that the shielded cable (201) further comprising connectors (220 & 230) for connection at its opposite ends (Fig 1), wherein each of said connectors (220 & 230) having connector pins (Col 7, lines 59-67) being connected to said first and second signal wires (301 &

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304), wherein said first signal wires (301 & 304) being connected to particular ones of the connector pins which are adjacent one to another (Col 7, lines 59-67).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Inui (Pat Num 6,674,010) in view of Applicant's Own Admission of Prior Art (herein referred to as AOAPA). Inui discloses a shielded cable (Figs 1-2) that can transmit data between electronic devices without generating noise and that can be easily handled (Col 2, lines 10-13) as disclosed with respect to claim 1 above. Specifically, with respect to claim 3, Inui discloses that the electrical cable (200) has a clock signal wire (303) which discloses a clock signal, wherein the plurality of data signals (301) synchronized with the clock signals are transmitted through the first signal wire (301, Col 8, lines 58-65).

However, Inui doesn't necessarily disclose the signal wires being twisted pairs (claim 2), nor the clock signal is of 10 MHz or higher (claim 3).

AOAPA teaches a well-known cable (Fig 9) capable of improving the signal quality while suppressing the radiant noises (Page 2, lines 1-3). Specifically, with respect to claim 2, AOAPA discloses a shielded cable (Fig 9) having a plurality of data

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signals (A, B, C, D, E, F, & G) for transmitting high frequency signals (Page 2, lines 20-23), a plurality of data signals (H, I, J, K, L, M, and N) for transmitting low frequency signals (Page 2, lines 23-25), which are twisted pairs of data signal conductors (A+, A-, B+, B-, ...etc, Page 2, lines 20-25). With respect to claim 3, AOAPA discloses a shielded cable (Fig 9) having a plurality of data signals (A, B, C, D, E, F, & G) for transmitting high frequency signals (Page 2, lines 20-23), at a frequency of 10Mhz or greater (Col 2, lines 20-23).

With respect to claims 2-3, it would have been obvious to one having ordinary skill in the art of cables at the time the invention was made to modify the electrical cable of Inui to comprise the twisted paired conductor configuration as taught by AOAPA because AOAPA teaches that such a configuration is well known in the art of cables for improving the signal quality while suppressing the radiant noises (Page 2, lines 1-3) and since it appears that Inue would perform equally well with the modification.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. They are Shatas (Pat Num 5,504,540) and Naylor et al (Pat Num 5,491,299), both of which discloses shielded electrical cables.

Communication


12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William H. Mayo III whose telephone number is (703)

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306-9061. The examiner can normally be reached on M-F 8:30am-6:00 pm (alternate Fridays off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on (703) 308-3682. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3432.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



WHM III
January 23, 2004